

GP2651 #4  
12-13-02



Attorney's Docket No. 56,521 (70904)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED.

Applicant: Y. Adachi, et al.

DEC 11 2002

U.S.S.N.: 09/964,131 Examiner: Not Yet Assigned

Technology Center 2600

Filed: September 26, 2001 Group: 2651

For: OPTICAL RECORDING DEVICE AND OPTICAL RECORDING METHOD,  
CONTROL PROGRAM FOR THE OPTICAL RECORDING DEVICE, AND  
COMPUTER-READABLE RECORDING MEDIUM RECORDING THE  
CONTROL PROGRAM

CERTIFICATE OF MAILING

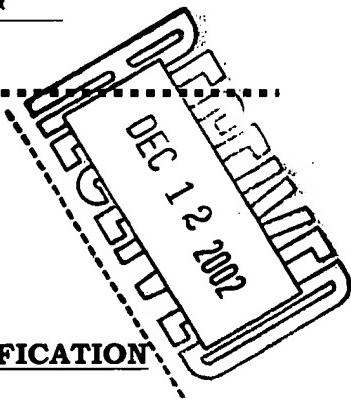
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on December 4, 2002.

By Kathryn A. Grindrod  
Kathryn A. Grindrod

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT WITH CERTIFICATION



Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on Form PTO-1449, attached hereto.

II. COPIES

- a. X Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. \_\_\_\_\_ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_. The following references were submitted to, and/or cited by, the Office in the prior application (s) and, therefore, are not required to be provided in this application.

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. X A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

Reference CA includes an English translation of an October 17, 2002 Office Action from the German Patent and Trademark Office.

Reference BA, originally submitted in an IDS filed on December 26, 2001, is re-submitted to provide the correct document number.

- c. \_\_\_\_\_ The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)  
(check one box)

- a. \_\_\_\_\_ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1). No fee or certification is required.
- b. \_\_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2). No fee or certification is required.

c.  Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. **THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):**  
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a.  No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).  
or  
b.  See the certification below. No fee is required.

VI. **STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)**

The undersigned hereby states that

- a.  each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b.  no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c. \_\_\_\_\_

Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

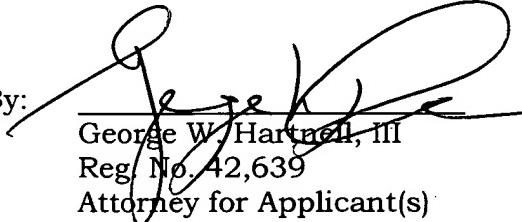
\_\_\_\_\_ Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

X

No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. **04-1105**.

Respectfully submitted,

By:   
George W. Hartnell, III  
Reg. No. 42,639  
Attorney for Applicant(s)

Date: December 4, 2002

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FORM PTO-1449  INFORMATION DISCLOSURE STATEMENT		DOCKET NO: 56,521 (70904)	SERIAL NO.: 09/964,131
		APPLICANT(S): Y. Adachi, et al.	
		FILING DATE: September 26, 2001	GROUP NO.: 2651

#### UNITED STATES PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,031,803	02/29/2000	S. Kubota, et al.	369	54	
	AB	6,044,049	03/28/2000	K. Fujiune, et al.	369	44.29	
	AC	5,974,021	10/26/1999	T. Toda, et al.	369	116	
	AD						RECEIVED.
	AE						DEC 11 2002
	AF						
	AG						
	AH						
	AI						

#### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	BA	09-016965	01/17/1997	JAPAN			Abstract
	BB						
	BC						
	BD						
	BE						
	BF						

#### OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

CA	Office Action for Application No. 101 47 294.3-53, German Patent Office, 17 October 2002 (6pp) (with English translation) (6 pp).
EXAMINER:	DATE: